

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SARA J. VAN DYKE,

Plaintiff,

-against-

Partners of DEBEVOISE & PLIMPTON LLP,  
BREAKING MEDIA, INC., PAUL GALLIGAN,  
and DOES 1-6,

Defendants.  
-----X

12 Civ. 8354 (GBD)

ECF Case

**DECLARATION OF  
VANESSA DE SIMONE IN  
SUPPORT OF DEFENDANT  
DEBEVOISE & PLIMPTON LLP'S  
MOTION TO DISMISS**

Vanessa De Simone declares:

1. I am an attorney associated with Debevoise & Plimpton LLP, counsel to Defendant Debevoise & Plimpton LLP ("Debevoise"). I make this declaration based on personal knowledge and my personal review of documents in support of Debevoise's motion to dismiss Plaintiff's Complaint.

2. Based upon my review of firm records, Debevoise was served with the Complaint on December 7, 2012 and Dana Saunders, assistant managing clerk, accepted service on behalf of the firm.

3. On December 21, 2012, I received notice that Plaintiff had filed with this Court a Proof of Service indicating that she had served Debevoise with the Complaint on December 6, 2012 and that "Lakeesha White" had accepted service. Based on a search of our firm directory, there is no one by the name of Lakeesha White employed by our firm. Accordingly, I believe that the Proof of Service was incorrect.

4. In connection with this matter, I have reviewed documents related to the administrative charges filed by Plaintiff with the Equal Employment Opportunity Commission (“EEOC”).

5. A true and correct copy of the administrative charge filed by Plaintiff with the EEOC on December 21, 2006 is attached hereto as Exhibit 1.

6. A true and correct copy of the Dismissal and Notice of Rights issued to Plaintiff by the EEOC on February 9, 2007 is attached hereto as Exhibit 2.

7. A true and correct copy of the Complaint filed by Plaintiff is attached hereto as Exhibit 3.

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 27, 2012.

s/ Vanessa De Simone